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MAY 12 2006

OFFICE OF PETITIONS

In re Patent of :
Enami et al :
Application No. 09/815,414 : DECISION
Filed: March 22, 2001 : ON PETITION
Attorney Docket Number: :
650.00529 :

This is a decision on the Petition to Revive Unintentionally Abandoned Application or Lapsed Patent (37 CFR 1.137(b), filed March 30, 2006.

The petition is **dismissed**.

Any further petition to revive the above-identified application must be submitted within TWO (2) MONTHS from the mail date of this decision. Extensions of time under 37 CFR 1.136(a) are permitted. The reconsideration request should include a cover letter entitled "Renewed Petition under 37 CFR 1.137." This is **not** final agency action within the meaning of 5 U.S.C. § 704.

The above-identified application became abandoned for failure to timely and properly reply to the Notice of Allowance and Issue Fee Due ("Notice"), mailed April 14, 2004. The Notice set a non-extendable statutory period for reply of three (3) months. Accordingly, the application became abandoned on July 15, 2004. A Notice of Abandonment was mailed February 26, 2006.

Applicant files the instant petition and fees by way of check in the amount of \$2660.00.

A grantable petition to revive an abandoned application under 37 CFR 1.137(b) must be accompanied by: (1) the required reply (unless previously filed); (2) the petition fee required by 37 CFR 1.17(m); (3) a statement that the entire delay in filing the required reply from the due date for the reply until the

filing of a grantable petition pursuant to 37 CFR 1.137(b) was unintentional; and (4) if required, a terminal disclaimer (and fee as set forth in 37 CFR 1.20(d)). Applicant lacks item (1).

As to item (1), Applicant has not submitted a complete and proper reply to the Notice of Allowance and Issue Fee Due. The fee for a petition to revive under 37 CFR 1.137(b) is \$1500.00, and the (current) issue fee due is \$1400.00. Applicant has submitted \$2660.00. Applicant must submit an additional \$240.00 before the petition may be granted.

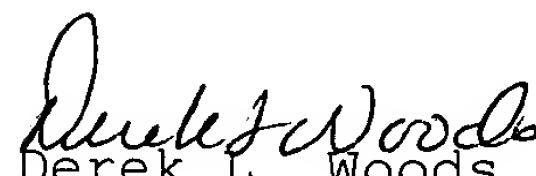
Further correspondence with respect to this matter should be addressed as follows:

By mail: Commissioner for Patents
 PO Box 1450
 Alexandria, VA 22313-1450

By FAX: (571) 273-8300
 Attn: Office of Petitions

By hand: Customer Service Window
 Randolph Building
 401 Dulany Street
 Alexandria, VA 22314

Telephone inquiries concerning this matter should be directed to the undersigned at (571) 272-3232.


Derek L. Woods
Attorney
Office of Petitions